State of Oregon Department of Environmental Quality

Annual Report

MS4 Phase II General Permit

National Pollutant Discharge Elimination System
MS4 Stormwater Discharge Permit

Monitoring Year:
Permit Registrant:
Date Prepared/Submitted:

DEQ File No.:

Certification and Signature

1. Permit Registrant(s): City of Bend
2. Legally Authorized Representative: Michael Buettner
3. Title: Utility Department Director
4. Email: mbuettner@bendoregon.gov
5. Phone: 541-388-5569

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations (40 CFR 122.22(d)).

DocuSigned by:
Michael Buettner
9DEEF423496342D...
Signature

10/31/2023
Date

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Instructions

At least once per year, the permit registrant must evaluate compliance with the requirements of the MS4 Phase II general permit using this Annual Report template. This self-evaluation includes assessment of progress made towards implementing the SWMP control measures in Schedule A, and implementation of actions to comply with any additional requirements identified pursuant to Schedule D.1 (Requirements for Discharges to Impaired Waterbodies).

For each SWMP control measure or activity listed below, please answer all the questions and in the comments field cite any relevant information and/or statistics that helps to illustrate implementation or compliance. If your answer is “No,” in the comments field explain the reasons and outline the anticipated implementation timeline. If the requirement does not apply, explain why it is not applicable in the comments field.

No later than November 1 each year, beginning in 2020, the permit registrant must submit an Annual Report to DEQ. One signed copy and one electronic copy must be submitted to DEQ using the address provided in permit. DEQ can provide an FTP site for submittal of the electronic copy, upon request.

General Information

Registrant Information

6. Permit Registrant(s): City of Bend		
7. Type(s): ☒ City / ☐ County / ☐ Special District / ☐ Other:		
8. Registrant Type: Existing Registrant: ☒ New Registrant: ☐		
9. Community Type: Large Community: ☐ Small Community: ☒		
10. DEQ Permit No: 102901		
11. EPA File No: 113602		
12. Physical Address: 62975 Boyd Acres Road		
City: Bend	State: OR	Zip: 97701
13. Point of Contact:		
Title: Elisabeth O'Keefe	Email: eokeefe@bendoregon.gov	Phone: 541-317-3018
14. Mailing Address (*if different*): (n/a)		
City:	State:	Zip:

Municipal Separate Storm Sewer System (MS4) Information

15. Estimate the area in square mileage served by the MS4: *Bend City limits covers 33.27 square miles which is larger than the MS4 area. Approximately 1.5 square miles is served by the MS4.*

16. Estimate the population served by the MS4: *The total population of the City of Bend is 99,178 (2020 Census) which is larger than the population living within the MS4 area. Approximate population living within the MS4 is 5,259.*

MS4 Stormwater Discharge Information

Identify the names of all known waters that receive a discharge from your MS4.

Receiving Waterbody	# of Outfalls	Impaired waterbody		Impairment(s)
		303d listed	TMDL issued	
a. Deschutes River	36	Yes ☒ No ☐	Yes ☐ No ☒	Temperature, turbidity, pH, sedimentation
b.		Yes ☐ No ☐	Yes ☐ No ☐	
c.		Yes ☐ No ☐	Yes ☐ No ☐	
d.		Yes ☐ No ☐	Yes ☐ No ☐	
e.		Yes ☐ No ☐	Yes ☐ No ☐	
f.		Yes ☐ No ☐	Yes ☐ No ☐	
g.		Yes ☐ No ☐	Yes ☐ No ☐	
h.		Yes ☐ No ☐	Yes ☐ No ☐	
i.		Yes ☐ No ☐	Yes ☐ No ☐	
j.		Yes ☐ No ☐	Yes ☐ No ☐	

Coordination Among Registrants and Joint Agreements

Required for permit registrants relying on another entity to satisfy one or more of the requirements of the permit.

17. Is there a joint agreement in place for the implementation of one or more stormwater management program control measures? *Schedule A.2* Yes ☐ **No** ☒
18. If yes, has there been any change to the joint agreement(s) submitted previously? Yes ☐ No ☐
    If yes, include, as an attachment, a summary of the changes.
    The summary must identify the other co-registrants/co-implementers or other entities

Stormwater Management Program Information

19. Discuss the status and overall progress of establishing legal authority to control pollutant discharges into and discharges from the MS4 and to implement and enforce the conditions of this permit. *Schedule A.2.c*

    The City's legal authority for stormwater quality rests in Bend Code Title 16, and the Standards and Specifications, both of which refer to the Central Oregon Stormwater Manual.

Stormwater Management Program Information

20. Is an updated SWMP Document attached? *Schedule A.2.c*

    Yes ☒ No ☐ *(must be submitted with the second Annual Report)*

    If necessary, provide an explanation:

    The City's Integrated SWMP Document was updated in 2023 and is attached to this annual report. The SWMP applies to both the NPDES MS4 permit for surface water discharges and the WPFC Underground Injection Control permit for groundwater discharges.

21. Identify the publicly accessible website where the SWMP Document is posted. *Schedule 2.c & A.3.b.ii*

    If necessary, provide an explanation: Local, State and Federal Stormwater Regulations | City of Bend (bendoregon.gov)

22. Does the SWMP Document include an implementation schedule for control measures that have yet to be or are partially implemented? *Schedule A.2.c*

    Yes ☒ No ☐

    If necessary, provide an explanation:

23. Describe the method used to gather, track, and use SWMP information to set priorities or assess compliance: *Schedule A.2.d*

    The City uses several methods to track and document activities, as required in the ISWMP 2023. The CityView application is used to track IDDE complaints, enforcement, plan review, permitting and erosion control inspections. The INFOR asset management system tracks stormwater maintenance, street sweeping & winter road care activities. Relevant public outreach information, performance standards and metrics, are summarized in each Annual Report, and are used to set priorities and assess compliance.

24. Have finances, staff, equipment and other support capabilities been provided to implement the permit? *Schedule A.2.e*

    Yes ☒ No ☐

    If necessary, provide an explanation:

25. During this monitoring year was compliance with the requirements of this permit evaluated? *Schedule B.1*

    Yes ☒ No ☐

    If necessary, provide an explanation:

26. During this monitoring year was it determined or reported that discharge from the MS4 caused or contributed to an excursion of an applicable water quality standard? *Schedule A.1.b*

    Yes ☐ No ☒

    If "Yes", complete Water Quality Standards section (p. 21) of this template.

Stormwater Management Program Control Measures

Public Education and Outreach

27. Provide a brief summary of the ongoing public education and outreach program. *Schedule A.3.a*

The City's public education and outreach program activities are implemented by utility stormwater staff. The program is designed to educate the public about the impacts of stormwater discharges on surface and groundwaters and the steps they can take to reduce pollutants. This year the staff continued to implement the Student Video Contest, partnering with BendFilm and Central Oregon Daily. This year's topic was expanded to include water conservation concepts and the theme was "My own front yard: It's a part of the Deschutes watershed!". The PSA`s from the previous year's contest were aired on local TV and radio stations. The City sponsored an Earth-Day Event by partnering with the Environmental Center and hosted a booth at the Earth Day celebration in downtown Bend where stormwater educational materials and activities were available to the public. The City also continues to sponsor and participate in the annual Deschutes River Cleanup Event and maintains a variety of educational resources and volunteer opportunities on it's website. City staff also participated in a watershed public speaker series with the Upper Deschutes Watershed Council (February 2023) https://www.upperdeschuteswatershedcouncil.org/events/watershed-speaker-series/ and the Raise the Deschutes seminar series with the Deschutes River Conservancy (11/1/22) discussing the City's urban water system https://www.deschutesriver.org/how-to-help/raise-the-deschutes-seminar-series/.

28. Were the required components in place by the implementation date? *Schedule A.3.a.i*

Yes ☒ No ☐ *(Implementation date: Feb. 28, 2020 for Existing Registrant, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)*

29. Provide the number of education and outreach activities conducted: *Schedule A.3.a.iii*
During this reporting year: *11*
30. During the permit term: *28*

If necessary, provide an explanation: *During FY22-23, staff attended 11 public events where educational materials were available and/or stormwater topics were discussed or presented.*

31. Indicate target audiences addressed during this reporting year: *Schedule A.3.a.iv*

☒ General public, homeowners, homeowner association, schoolchildren, and businesses
☒ Local elected officials, land use planners and engineers
☒ Construction site operators

32. Have each target audience been addressed during the permit term? *Schedule A.3.a.iv*

Yes ☒ No ☐

33. Indicate target topics addressed during this reporting year: *Schedule A.3.a.iv*

☒ Impacts of illicit discharges on receiving waters and how to report them
☒ Impacts from impervious surfaces and appropriate techniques to avoid adverse impacts
☒ BMPs for proper use, application and storage of pesticides and fertilizer
☒ BMPs for litter and trash control
☐ BMPs for recycling programs
☒ BMPs for power washing, carpet cleaning and auto repair and maintenance
☒ Low impact development/green infrastructure
☐ Information pertaining to maintenance of septic systems
☒ Watershed awareness and how storm drains lead to local creeks and rivers, and potential impacts to fish and other wildlife
☒ Other: Construction site runoff control

34. Describe the types of educational messages or activities distributed and/or offered during this reporting year. *Schedule A.3.a.iii*

During FY22-23, staff attended 11 public events where educational materials were available and/or stormwater topics were discussed or presented. For example, City staff ran interactive stormwater runoff diorama activities for children at the Earth Day event and during the Newport Stormwater Project ribbon cutting ceremony. The City also posted 15 outreach messages on social media platforms, aired 765 stormwater messages on the radio, 1,789 tv commercials, and maintains a stormwater public website that hosts multiple educational resources for target audiences listed under Schedule A.3.a.iii. During FY22-23, the City's stormwater webpages received 4,592 views.

35. Was outreach to construction site operators working within your community offered during this reporting year? *Schedule A.3.a.v*

    Yes ☒ No ☐

36. Total number during the permit term: 452

37. Identify and describe the assessment/evaluation of, at least, one education and outreach activity that occurred during this reporting year. Include the assessment process or metric for evaluation, and why this activity was considered successful. *Schedule A.3.a.vi*

    During FY22-23, the City began issuing erosion control fact sheets with building permits to educate small residential single-family construction site operators/builders of stormwater erosion control best practices & City code requirements. This new outreach effort was effective as it directly reached a new target audience of 255 small development projects/builders over just 3.5 months. Small developments are currently exempt from the City's grading and erosion control permitting process and this outreach effort provided a method to directly and efficiently provide erosion control outreach ahead of changes to the City's erosion control program for permit compliance in FY24.

38. Will the assessment be used to inform future stormwater education and outreach efforts? *Schedule A.3.a.vi*

    Yes ☒ No ☐

39. Provide an explanation:

    The City will continue to issue these fact sheets with permits over FY24 and this effort will help inform development of new, targeted erosion control program materials for the erosion control permit deadline on November 1st, 2024.

Public Involvement and Participation

40. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.b*

    The City continued to meet with its Stormwater Public Advisory Group (PAG) now known as the Utilities Public Advisory Group (UPAG) to focus on stormwater and water conservation topics. This year UPAG provided feedback and input on the 2023 ISWMP document and topics related to new and redevelopment requirements in the permit. The UPAG toured two subdivisions and one park to look at both water conservation and stormwater measures implemented in different neighborhood developments. The City also hosted the annual Student Video Contest where students create 30-second commercials on a watershed topic. See www.bendoregon.gov/CleanWaterWorksKids to view the winning entries. The City continues to provide volunteer stewardship opportunities for the public to place stormwater drain markers, and pick up trash. The City also sponsored and partnered with the Upper Deschutes Watershed Council for their annual Deschutes River Cleanup event and Utility department staff worked the day of the event and took all collected trash to the landfill for disposal.

41. Were the required components in place by the implementation date? *Schedule A.3.b.i*

    Yes ☒ No ☐ *(Implementation date: Feb. 28, 2020 for Existing Registrant, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)*

42. Is the SWMP Document posted on a publicly accessible website? *Schedule A.3.b.ii*

Yes ☒ No ☐ https://www.bendoregon.gov/government/departments/utilities/stormwater/regulations

43. Was the publicly accessible website updated during this reporting year? *Schedule A.3.b.ii*

Yes ☒ No ☐

If necessary, provide an explanation:

Minor updates were made to the public website during Fiscal Year 23 (July 1 2022- June 30th 2023) such as updates to the What's New Page, the Utilities Public Advisory Group, and identification of broken or obsolete links. During FY23, the City focused on identifying changes to layout and page content for a large stormwater website update anticipated to go live in FY24.

44. Does the publicly accessible website include illicit discharge complaint/reporting information or procedures? *Schedule A.3.b.ii.A*

Yes ☒ No y☐

If necessary, provide an explanation:

https://www.bendoregon.gov/government/departments/utilities/stormwater/get-involved

45. Does the publicly accessible website include draft documents issued for public comment, final reports, plans and other official SWMP policy documents? *Schedule A.3.b.ii.B*

Yes ☒ No ☐

If necessary, provide an explanation:

https://www.bendoregon.gov/government/departments/utilities/stormwater/regulations

46. Does the publicly accessible website include links to all ordinances, policies and/or guidance documents related to the construction and post-construction stormwater management control programs, including education, training, licensing, and permitting? *Schedule A.3.b.ii.C*

Yes ☒ No ☐

If necessary, provide an explanation:

47. Does the publicly accessible website include contact information for relevant staff, including phone numbers, mailing addresses and email addresses? *Schedule A.3.b.ii.D*

    Yes ☒ No ☐

    If necessary, provide an explanation:
    https://www.bendoregon.gov/government/departments/utilities/stormwater

48. During this reporting year, was a stewardship opportunity created or partnered with another entity? *Schedule A.3.b.iii*

    Yes ☒ No ☐

    If "Yes", summarize the stewardship opportunity(s).

    Please refer to question #40.

Illicit Discharge Detection and Elimination

49. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.c*

    During FY23, the City began documenting all illicit discharge cases within the Cityview online database. Staff continue to make improvements to data tracking and reporting settings within Cityview to improve efficiency and analyze illicit discharge data. During FY23, the City also updated internal IDDE standard operating procedures including enforcement escalation and staff training materials.

50. Were the required components in place by the implementation date? *Schedule A.3.c.i*

    Yes ☒ No ☐ *(Implementation date: Feb. 28, 2022 for Existing Registrant, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)*

51. Is the MS4 map(s) current? *Schedule A.3.c.ii.A*

Yes ☒ No ☐

52. Describe the MS4 map(s) format(s):

The City uses a digital MS4 mapping system through Esri GIS and AutoCAD formats. Mapping accuracy and processes are consistent with industry standards. Portions of the map and digital inventory may be viewed on the City's public website through Bend Data Viewer or downloaded under the data catalog tab, at: https://data.bendoregon.gov/pages/interactive-maps

The complete digital inventory can be made available to DEQ or the public upon request.

53. Is the MS4 map(s) included as attachment? Yes ☐ No ☒

Or are the digital shapefiles available for electronic submittal? Yes ☒ No ☐

(Implementation date: Feb. 28, 2022 for Existing Registrant, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)

If necessary, provide an explanation:

Portions of the map and digital inventory may be viewed on the City's public website through Bend Data Viewer or downloaded under the data catalog tab, at: https://data.bendoregon.gov/pages/interactive-maps. Please refer to the 2023 ISWMP document for a pdf version of the MS4 map.

The complete digital inventory can be made available to DEQ or the public upon request.

54. Is the digital inventory of all known outfalls, with the associated receiving waterbody current? *Schedule A.3.c.ii.B*

Yes ☒ No ☐

If necessary, provide an explanation:

55. Indicate if the following features are included on your MS4 map:

- ☒ Location of all known outfalls, including the requirements in *Schedule A.3.c.ii.B*
- ☒ Stormwater collection and conveyance system, including the requirements in *Schedule A.3.c.ii.C*
- ☒ Stormwater structural controls, including the requirements in *Schedule A.3.c.ii.C*
- ☐ Location of known chronic discharges *Schedule A.3.c.ii.D*

If necessary, provide an explanation:

While not currently mapped, City staff has documented one outfall with continuous dry weather flow. This outfall receives potable water from a leaking water reservoir via a foundation drain. The City does not currently have any known chronic illicit discharges as defined in the permit.

56. Have non-stormwater discharges into the MS4 been prohibited through enforcement of an ordinance or other regulatory mechanism? *Schedule A.3.c.iii*

Yes ☒ No ☐

If necessary, provide an explanation:
Please refer to Bend Municipal Code Title 16 for supporting information https://bend.municipal.codes/BC/16

57. Indicate which of the following have an ordinance or other regulatory mechanism to prohibit discharge to the MS4: *Schedule A.3.c.iii*

☒ Septic, sewage, and dumping or disposal of liquids or materials other than stormwater into the MS4
☒ Discharges of washwater resulting from the hosing or cleaning of gas stations, auto repair garages, or other types of automotive services facilities
☒ Discharges resulting from the cleaning, repair, or maintenance of any type of equipment, machinery, or facility, including motor vehicles, cement-related equipment, and port-a-potty servicing, etc.
☒ Discharges of washwater from mobile operations, such as mobile automobile or truck washing, steam cleaning, power washing, and carpet cleaning, etc.
☒ Discharges of washwater from the cleaning or hosing of impervious surfaces in municipal, industrial, commercial, or residential areas (including parking lots, streets, sidewalks, driveways, patios, plazas, work yards and outdoor eating or drinking areas, etc.) where detergents are used and spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed)
☒ Discharges of runoff from material storage areas, which contain chemicals, fuels, grease, oil, or other hazardous materials from material storage areas
☒ Discharges of pool or fountain water containing chlorine, biocides, or other chemicals; discharges of pool or fountain filter backwash water
☒ Discharges of sediment, unhardened concrete, pet waste, vegetation clippings, or other landscape or construction-related wastes
☒ Discharges of trash, paints, stains, resins, or other household hazardous wastes
☒ Discharges of food-related wastes (grease, restaurant kitchen mat and trash bin washwater, etc.)

If necessary, provide an explanation:

58. Is the written escalating enforcement and response procedure included as an attachment? *Schedule A.3.c.iv*

Yes ☒ No ☐

(For Existing Registrant must be submitted with the third Annual Report, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)

If necessary, provide an explanation:

59. Is there a phone number, webpage, and/or other communication channel publicized for the public use to report illicit discharges? *Schedule A.3.c.v.A*

☒ Phone number(s)
☒ Webpage(s)
☐ Other communication channels

If necessary, provide an explanation:

60. Provide the number of complaints received during this reporting year. *Schedule A.3.c.v.D*

Number*: 34*

61. On average, how long did it take to respond to complaints? *Schedule A.3.c.v.B*

In working days: *1*

62. Provide the number of complaints that included notification of the Oregon Emergency Response System during this reporting year. *Schedule A.3.c.v.B*
    Number of notification: *0*
63. Provide the number of complaints where staff performed an investigation during this reporting year. *Schedule A.3.c.v*
    Number: *45*
64. On average, how long did it take to conduct an initial investigation? *Schedule A.3.c.v.B*
    In working days: *1*
65. Provide the number of illicit discharges discovered and eliminated during this reporting year. *Schedule A.3.c.v*
    Number: *26*
66. On average, how long did it take to eliminate an illicit discharge? *Schedule A.3.c.v.B*
    In working days: *1*
67. Provide the number times escalating enforcement procedure was used to eliminate illicit discharge during this reporting year. *Schedule A.3.c.v.D*
    Number of times: *23*

Do any of the illicit discharges involve the repair or replacement of the wastewater and/or storm sewer conveyance systems? *Schedule A.3.c.v.B*

Yes ☐ No ☒ NA ☐

If necessary, provide an explanation:

68. Provide the number of illicit discharges that were referred to another entity during this reporting year. *Schedule A.3.c.v.C*
    Number: *0*
69. On average, how long did it take to notify the entity(s)?
    In working days: *N/A*

if necessary, provide an explanation:

70. Indicate which of the following are included in the complaints or reports tracking documentation: *Schedule A.3.c.v.D*
    - ☒ Date the complaint was received and, if available, the complainant's name and contact information
    - ☒ Name of staff responding to the complaint
    - ☒ Date the investigation was initiated
    - ☒ The outcome of the staff investigation
    - ☒ Corrective action(s) taken to eliminate the illicit discharge
    - ☒ The responsible party for the corrective action(s)
    - ☒ The status of enforcement procedure(s), when necessary
    - ☒ The date the corrective action(s) was completed and staff who evaluated final compliance

If necessary, provide an explanation:

71. Provide percentage of outfalls inspected. *Schedule A.3.c.vi.A/B*
    Known outfalls screened this reporting year: *0*

72. Known outfalls screened during the permit term: *22 out of 36*

If necessary, provide an explanation:

The City began screening outfalls in August of 2023 (FY-24) in compliance with the 50% screening requirement in the permit. 22 out of 36 outfalls were screened by the 9/30/2023 deadline. This work resulted in discovery of new and abandoned outfalls which will result in an increase to the # of total known outfalls. The updated inventory will be reported in the FY24 annual report.

73. Provide percentage of outfalls inspected as part of field screening of priority location. *Schedule A.3.c.vi.C*
    Priority location outfalls screened this reporting year: *0*

74. Priority location outfalls screened during the permit term: *N/A*

    If necessary, provide an explanation:
    Bend does not currently distinguish priority outfalls. In August of 2023, 61% of all known outfalls were screened and inspected. Following inspection and field screening of 100% of the outfalls a subsequent effort will be made to process the data and develop a plan to prioritize outfalls based on a range of factors.

75. Indicate which of the following dry-weather field screening activities have been performed in the last year: *Schedule A.3.c.vi*
    - ☒ General observation
    - ☐ Field Screening and Analysis
    - ☐ Pollutant Parameter Action Levels
    - ☐ Laboratory Analysis

    If necessary, provide an explanation:
    As part of the screening that took place in August 2023, the following activities have been performed: General Observation; Field Screening.

76. If flow is observed and the source is unknown, provide a brief description of the field investigation and analysis process. *Schedule A.3.c.vi.D-G*
    Field evaluation of the upstream drainage area is conducted, supplemented by the use GIS data (land use, taxlots, stormwater system). Upstream points such as hard surfaces, manholes and catch basins are observed manually for flow/associated discharge. The system is investigated upstream until flow is no longer observed and/or no probable source is identified. If the source cannot be identified by visual observations during the field investigation, field sampling with Pollutant Parameter Action levels will be conducted. If neither the field investigation or field sampling result in source identification a grab sample will be collected and sent to a laboratory for further analysis.

77. Have pollutant parameter action levels been established and are they included as an attachment? *Schedule A.3.c.vi.F*

    Yes ☒ No ☐

    (For Existing Registrant must be submitted with the third Annual Report. New Registrants must submit by September 1, 2023 and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner))

    If necessary, provide an explanation: See the attached Dry Weather Screening and Outfall Reconnaissance Inventory Plan for additional information.

78. Are all persons responsible for investigating and eliminating illicit discharges and illicit connections into the MS4 appropriately trained to conduct such activities? *Schedule A.3.c.vii*

    Yes ☒ No ☐

    If necessary, provide an explanation:

79. Are all new staff working to implement the IDDE program trained within 30 days of their assignment to this program*? Schedule A.3.c.vii*

Yes ☒ No ☐

If necessary, provide an explanation:

Construction Site Runoff Control

80. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.d*

During FY23, the City updated the escalating enforcement standard operating procedures for erosion control and continued to work on making improvements to the CityView database and tracking system. Additionally, the City began internal discussions and workshops regarding upcoming changes to erosion control requirements on November 1st, 2024. To prepare for upcoming changes, the City also began issuing an educational erosion control template for single family residential building permits (see question #37).

81. Were the required components in place by the implementation date? *Schedule A.3.d.i*

Yes ☐ No ☐ **N/A Bend's implementation deadline is 11/1/2024**.

(Implementation date: Feb. 28, 2023 for Existing Registrants, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)

82. Do ordinances or other regulatory mechanisms require erosion controls, sediment controls, and waste materials management controls to be used and maintained at all qualifying construction projects? *Schedule A.3.d.ii*

Yes ☒ No ☐ NA ☐

If necessary, provide an explanation:

83. Indicate the minimum land disturbance where construction site operators are required to complete and implement an Erosion and Sediment Control Plan (ESCP) for construction project sites: *Schedule A.3.d.ii*

In square feet or portion of an acre: *5,000 ft²* ☒, acres ☐

If necessary, provide an explanation: *Currently Bend Code 16.10 requires developments adding 5,000 sq. ft. of impervious surface or disturbing 1 or more acres to provide a drainage submittal with erosion control included. Because this only applies to addition of impervious surface and land disturbance for larger projects, code updates will be needed to reflect the 5,000 sq ft land disturbance threshold requirement. Additionally, the current code exempts many types of smaller developments from drainage submittals and will need to be revised to meet the 5,000 square foot land disturbance requirement.*

84. For construction projects that disturb one or more acres (or that disturb less than one acre, if it is part of a "common plan of development or sale" disturbing one or more acres), provide a brief description how these projects are referred to DEQ or the appropriate DEQ agent, to obtain a NPDES Construction Stormwater General Permit. *Schedule A.3.d.iii*

The requirement for developers to check with DEQ for 1200c permit requirement is listed as a permit condition on all City-issued development permits. The City also maintains a map layer on their public website showing sub-watersheds that may potentially require 1200c permitting, however these locations are not verified by DEQ.

85. Provide the written specifications that address the proper installation and maintenance of such controls during all phases of construction activity as an attachment *Schedule A.3.d.iv*

Attached: Yes ☐ No ☒

If necessary, provide an explanation: Please refer to the 2021-2022 annual report for copies of the written specifications, or access them online at:

Central Oregon Stormwater Manual: https://www.coic.org/stormwater/

City Design Standards: Section 7 Grading and Erosion Control, City Standard Drawings Erosion (E), and Special Provision to the 2021 OSS Section 00280 Erosion and Sediment Control:
https://www.bendoregon.gov/government/departments/engineering/standards-and-specifications

86. Provide the Erosion and Sediment Control Plan template as an attachment. *Schedule A.3.d.iv.A*

Attached: Yes ☐ No ☒

If necessary, provide an explanation: Please refer to the 2021-2022 annual report for a copy of the template or access it in section 2.3.9 of the design standards
https://www.bendoregon.gov/government/departments/engineering/standards-and-specifications

87. Indicate which of the following are required for qualifying construction projects: *Schedule A.3.d.iv*

☒ Site operator required to complete a ESCP template or worksheet prior to beginning construction/land disturbance
☒ Site operator required to keep the ESCP on site
☒ Site operator required to maintain and update the ESCP as site conditions change, or as needed.
☒ Site operator required to provide the ESCP to the permit registrant, DEQ, or another administrating entity

If necessary, provide an explanation:

88. ESCPs [from construction projects that will result in land disturbance of one or more acres (or that disturb less than one acre, if it is part of a "common plan of development or sale" disturbing one or more acres)] are reviewed using a checklist or similar document to determine compliance. *Schedule A.3.d.v*

Yes ☒ No ☐

89. Provide the ESCP review template or checklist as an attachment. *Schedule A.3.d.v*

Attached: Yes ☐ No ☒

90. Indicate the minimum land disturbance where you require the ESCP to be reviewed, if different than one acre:

5,000 ft^2 ☒, acres ☐

If necessary, provide an explanation:

Please see responses under questions 83 and 86.

91. All construction projects [that will result in land disturbance of one or more acres (or that disturb less than one acre, if it is part of a "common plan of development or sale" disturbing one or more acres)] are expected or scheduled to be inspected at least once per permit term. *Schedule A.3.d.vi.A.1*

Indicate the number of inspections completed to comply with this requirement during this reporting year: *413*

Indicate the number of inspections completed to comply with this requirement during the permit term: *685*

If necessary, provide an explanation:

92. Are construction projects with visible sediment in stormwater/dewatering discharge or when a complaint is received inspected? *Schedule A.3.d.vi.A.2*

Yes ☒ No ☐

93. Indicate number of projects that were inspected based on this inspection trigger: *2*

If necessary, provide an explanation:

94. Indicate the total number of construction projects that were inspected this monitoring year: *125*

95. Indicate the total number of construction projects that were inspected during the permit term: *264*

96. Indicate which of the following are documented during an inspection: *Schedule A.3.d.vi.B*
- ☒ That the ESCP is reviewed to determine if the described
- ☒ Control measures were installed, implemented, and maintained appropriately
- ☒ Assessment of the site's compliance with the ordinances or requirements
- ☒ Visual observation of any existing or potential non-stormwater discharges, illicit connections, and/or discharge of pollutants from the site
- ☒ Recommendations to the construction site operator for follow-up
- ☒ Education or instruction provided to the site operator related to stormwater pollution prevention practices

If necessary, provide an explanation:

97. If available, provide a copy of the written or electronic inspection report form. *Schedule A.3.d.vi.B*

Attached: Yes ☐ No ☒

Please refer to the FY21-22 annual report for a copy of the electronic inspection report form.

98. For Existing Large Communities: Indicate the number of new construction projects inspected that disturb less one acre during this monitoring year. Is this number at least 25% of the qualifying new construction sites? *Schedule A.3.d.vi.C*

If necessary, provide an explanation: *N/A, Bend is a small community, Phase II MS4 permittee.*

99. Provide the written escalating enforcement and response procedure as an attachment. *Schedule A.3.d.vii*

Yes ☒ No ☐

(For Existing Registrant must be submitted with the third Annual Report. Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)

If necessary, provide an explanation: *The escalating enforcement response procedure was updated in FY23.*

100. Was the escalating enforcement procedure used to achieve compliance at any construction projects? *Schedule A.3.d.vii*

Yes ☒ No ☐

Indicate number of times during this reporting year:*196*

101. Indicate number of times during the permit term: *217*

If necessary, provide an explanation: *The escalating enforcement procedure was revised in FY23 to improve consistency, data tracking, and increase project compliance. This resulted an increase in the number of times the procedure was triggered compared to the FY21-22 reporting year.*

102. Were all persons responsible for ESCP reviews, site inspections, and enforcement appropriately trained to conduct such activities? *Schedule A.3.d.viii*

Yes ☒ No ☐

If necessary, provide an explanation:

103. Were all new staff working to implement the construction site runoff control program appropriately trained within 30 days of their assignment to this program? *Schedule A.3.d.viii*

Yes ☒ No ☐

Post-Construction Site Runoff for New Development and Redevelopment

104. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.e*

The City continues to implement post-construction requirements in Bend Code Title 16 including plan review, issuance of private stormwater maintenance agreements, inspection and maintenance of publicly owned water quality facilities, and updates to digital inventory data. In conjunction with goals identified in the 2023 ISWMP document, the City is working to refine the post construction plan review, inspection and maintenance, and digital database requirements for the permit compliance deadline of November 1, 2025.

105. Were the required components in place by the implementation date? *Schedule A.3.e.i*

Yes ☒ No ☐ *((Implementation date: Feb. 28, 2023 for Existing Registrant, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner)*

The post-construction permit implementation deadline for City of Bend is 11/1/2025. In development of the required LID/GI strategy, the City reviewed ordinance, code, and development standards for barriers that could inhibit design and implementation of Low Impact Development and Green Infrastructure in August of 2023. See question #109.

106. For projects creating or replacing impervious area, indicate the area (or threshold) where the site is required to implement the post-construction site runoff program requirements: *Schedule A.3.e.ii*

In square feet: *5,000 ft²*

If necessary, provide an explanation:

City code currently has post-construction requirements for new and redevelopment adding 5,000 sq ft or more of impervious surface. Adjustments to the code are needed to account for replaced impervious surfaces and to remove existing exemptions for specific types of development projects.

107. Indicate which of the following are required at qualifying sites: *Schedule A.3.e.ii*

☒ The use of structural stormwater controls

☒ A site-specific stormwater management approach that targets natural surface or predevelopment hydrological function through the installation and long-term operation and maintenance of stormwater controls

☒ Long-term O&M of stormwater controls at project sites that are under the ownership of a private entity

If necessary, provide an explanation:

The City of Bend currently requires all development to retain all stormwater on site. For private sites this includes a requirement to sign a maintenance agreement attached to the property deed to ensure long term O&M of stormwater controls/systems.

108. Were ordinance(s), code(s) and development standards reviewed to identify, minimize or eliminate barriers that inhibit design and implementation techniques intended to minimize impervious surfaces and reduce stormwater runoff? *Schedule A.3.e.iii*

Yes ☒ No ☐

109. If barriers were identified or if necessary, provide an explanation:

In August of 2023, the City reviewed codes and standards for barriers that may inhibit implementation of low impact development techniques. No barriers were identified as a result of this review, as the City currently allows the use of LID techniques to manage stormwater onsite through development code. While conducting the barrier review, the City identified topics in development code such as walkway surfaces, street trees, and parking surfaces that can be further evaluated and encouraged as LID options. Furthermore, in conducting this review, the City identified areas of development code for the stormwater program to be aware of and involved with for any future code updates as they have a connection to stormwater (i.e. landscaping, tree code, and pavement requirements).

110. Provide an explanation of the timeline for removal of barriers or if removal is outside your authority:

While there were no barriers identified, over the course of permit term the City will review opportunities found for encouraging LID and determine the feasibility for implementing changes.

111. Indicate which of the following technical standards are used to determine the retention requirement: *Schedule A.3.e.iv.A*
☒ Volume-based method
☐ Storm event percentile-based method
☐ Annual average runoff-based method

If necessary, provide an explanation:
City Standards currently require the 25-year, 24-hour storm event be retained onsite.
The existing retention requirement is being evaluated by the City and will be incorporated in the regional update of the Central Oregon Stormwater Manual. To be completed by 11/1/2025 (Permit Deadline).

112. For projects that are unable to meet the retention requirement, is the remainder of the rainfall/runoff treated prior to discharge with a structural stormwater control? *Schedule A.3.e.iv.B*

Yes ☒ No ☐

113. Was the stormwater structural control designed to remove, at minimum, 80 percent of the total suspended solids?

Yes ☒ No ☐

If necessary, provide an explanation: *Structural controls are designed following the Central Oregon Stormwater Manual guidance under section 6.2 Treatment Goals for 80% TSS removal for typical concentrations ranging from 30mg/l to 100mg/l.*

114. Are the allowable structural stormwater controls and specifications available for review? *Schedule A.3.e.iv.C*

Yes ☒ No ☐

115. Indicate if they are attached or the location where they can be viewed:
Attached ☐
Location:
Central Oregon Stormwater Manual Chapter 6: *https://www.coic.org/stormwater/*
City Design Standards: *Part V Standard Drawings- Stormwater STRM*
https://www.bendoregon.gov/government/departments/engineering/standards-and-specifications

If necessary, provide an explanation:

116. Have alternatives for projects complying with the retention requirement been approved? *Schedule A.3.e.iv.D*

Yes ☐ No ☒

117. If yes, are the written technical justifications evaluated? *Schedule A.3.e.iv.D*

Yes ☐ No ☐ *N/A*

118. Provide a brief description of the factors of technical infeasibility or site constraints that prevented the on-site management of the runoff amount stipulated in the stormwater retention requirement or a portion thereof. *Schedule A.3.e.iv.D*

If necessary, provide an explanation: *The City will be completing work to review and update standards to meet this requirement by the permit deadline (11/1/2025).*

119. Before the allowance of alternative compliance, were mitigation options established? *Schedule A.3.e.iv.D*

Yes ☐ No ☒

If necessary, provide an explanation:
The City will be completing work to review and update standards to meet this requirement by the permit deadline (11/1/2025).

120. If applicable, indicate which of the following mitigation options have been used and provide a narrative description of the implementation of the mitigation option? *Schedule A.3.e.iv.D*

☐ Off-Site Mitigation
☐ Off-Site Groundwater Replenishment Projects

If necessary, provide an explanation: *N/A*

121. Was a procedure developed for the review and approval of structural stormwater control plans for new development and redevelopment projects? *Schedule A.3.e.v*

Yes ☒ No ☐

If necessary, provide an explanation: *Please refer to the Central Oregon Stormwater Manual: https://www.coic.org/stormwater/*

122. Indicate the minimum land disturbance or creation of new impervious area where plans are required to be reviewed: 5,000ft² ☒, acres ☐ of land disturbance ☐ creation of new impervious area ☐

123. Are all sites that use alternative compliance to meet the retention requirement reviewed?

Yes ☐ No ☐ *N/A*

If necessary, provide an explanation:
NA - Alternative compliance has not been developed, see question #116.

124. Indicate if an inventory and implementation strategy is used to ensure that all stormwater controls are operated and maintained to meet the site performance standard in Schedule A.3.e.iv of the permit? *Schedule A.3.e.vi*

Yes ☒ No ☐

If necessary, provide an explanation:

125. Indicate which of the following strategies have been developed to ensure that all stormwater controls are operated and maintained to meet the site performance standard in Schedule A.3.e.iv. *Schedule A.3.e.vi*

☒ Legal authority to inspect and require effective operation and maintenance of privately owned and operated stormwater controls
☒ Inspection procedures and an inspection schedule to ensure compliance with the O&M requirements of each stormwater control operated by the permit registrant and by other private entities

☒ A tracking mechanism for documenting inspections and the O&M requirements for each stormwater control
☒ Reporting requirements for privately owned and operated stormwater controls that document compliance with the O&M requirement in Schedule A.3.f.

If necessary, provide an explanation:
A Standard Operating Procedure has been developed. The city will be completing work to review and update procedures to meet this requirement by the permit deadline (11/1/2025)

126. Are the location of all public and private stormwater controls installed during this permit term documented on the MS4 Map? *Schedule A.3.e.vi*

Yes ☐ No ☒

If necessary, provide an explanation:
Currently, all city owned stormwater controls are mapped. The City has developed an initial inventory of known private stormwater controls and is in the process of field verifying those to incorporate into the City's GIS database.

127. Were all persons responsible for performing post-construction runoff site plan reviews, administrating the alternative compliance program, or performing O&M practices or evaluating compliance with long-term O&M requirements appropriately trained to conduct such activities? *Schedule A.3.e.vii*

Yes ☐ No ☒

If necessary, provide an explanation:
Utility staff providing supplemental review of public infrastructure plans and long term O&M verification are appropriately trained. Work is being done to update project workflows and the city's training program prior to the deadline identified.

128. Were all new staff working to implement the post-construction site runoff for new development and redevelopment program appropriately trained within 30 days of their assignment to this program? *Schedule A.3.e.vii*

Yes ☐ No ☒

If necessary, provide an explanation:
The City is working to ensure all staff city-wide are trained and to update it's training program and schedule based on the new permit prior to the deadline (11/1/2025).

Pollution Prevention and Good Housekeeping for Municipal Operations

129. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.f*

The City has an established O&M program that is responsible for ongoing inspection, maintenance and repair of the publicly managed storm drain system. This includes catch basins, structural controls, water quality facilities and all other associated infrastructure. The City also manages a street sweeping program to reduce pollutant loading from hard surfaces. In addition, the City has developed performance standards for municipal maintenance activities that are used to guide programs associated with street sweeping, winter road care, fleet repair/washing, storm drain system O&M, litter control, corporation yard management as well as road repair/maintenance. The City also utilizes a Water Conservation Program to guide better landscaping practices and reduce overwatering associated with dry weather discharges to the storm drain system. During FY23. the City began updating standard trainings for various municipal operations that are included in the digital Target Solutions training platform. These changes will be effective in FY24. Stormwater staff are continuing to work with City municipal operations programs and departments to ensure compliance with permit requirements by November 1, 2024.

130. Were the required components in place by the implementation date? *Schedule A.3.f.i*

Yes ☐ No ☒ *(Implementation date: Feb. 28, 2022 for Existing Registrants, Sept. 1, 2023 for New Registrants and February 28, 2024 for Albany, Corvallis, Millersburg, Springfield and Turner))*

No, The City will be completing work to meet this requirement by the Bend permit deadline (11/01/2024).

131. Were O&M strategies for existing controls developed for both permit registrant-owned controls and controls owned and operated by another entity discharging to the MS4? *Schedule A.3.f.ii*

Yes ☒ No ☐ N/A ☐

If necessary, provide an explanation:

132. Indicate the percentage of catch basins inspected/cleaned: *Schedule A.3.f.iii*
Percentage inspected this reporting year*: 116%*; Percentage cleaned: *116%*
133. If known, estimate of material removed: *975.25 cubic yards*
134. Percentage inspected during the permit term: *218%*; Percentage cleaned: 218%
135. If known, estimate of material removed: *2,232.25 cubic yards*
If necessary, provide an explanation:

136. Indicate if a catch basin inspection prioritization system and/or an alternate inspection frequency has been established. *Schedule A.3.f.iii*

Yes ☐ No ☒

If necessary, provide an explanation:

137. During the permit term were existing procedures for inspection and maintenance schedules reviewed/updated to ensure pollution prevention and good housekeeping practices were conducted for the following activities? *Schedule A.3.f.iv*

- ☐ Pipe cleaning for stormwater and wastewater conveyance systems
- ☐ Cleaning of culverts conveying stormwater in roadside ditches
- ☐ Ditch maintenance
- ☐ Road and bridge maintenance
- ☐ Road repair and resurfacing including pavement grinding
- ☐ Dust control for roads and municipal construction sites
- ☐ Winter road maintenance, including salt or de-icing storage areas

- ☐ Fleet maintenance and vehicle washing
- ☐ Building and sidewalk maintenance including washing
- ☐ Solid waste transfer and disposal areas
- ☐ Municipal landscape maintenance
- ☐ Material storage and transfer areas, including fertilizer and pesticide, hazardous materials, used oil storage, and fuel
- ☐ Firefighting training activities
- ☐ Maintenance of municipal facilities including public parks and open space, golf courses, airports, parking lots, swimming pools, marinas, etc.

If necessary, provide an explanation:

No, The City will be completing work to meet this requirement by the permit deadline (11/01/2024).

138. Do any permit registrant-owned facilities have coverage under DEQ's 1200-Z Industrial Stormwater Discharge Permit? *Schedule A.3.f.v*

Yes ☐ No ☒ NA ☐

If "Yes", provide DEQ File Number(s):

If necessary, provide an explanation:

139. Are practices in place to reduce the discharge of pollutants to the MS4 associated with the application and storage of pesticides and fertilizers? *Schedule A.3.f.vi*

Yes ☒ No ☐

If necessary, provide an explanation:

140. Are methods/practices in place to reduce the discharge of litter within the jurisdiction? *Schedule A.3.f.vii*

Yes ☒ No ☐

If necessary, provide an explanation:

The City assists in the collection and disposal of litter in the Downtown area including conducting street sweeping operations before and after events. City stormwater maintenance crews routinely inspect stormwater facilities, removing trash and debris. The City also participates in and sponsors the Upper Deschutes Watershed Council's Deschutes River Cleanup event in July of each year that focuses on trash removal. Furthermore, the City offers volunteer opportunities through the Bend Beautification Program for litter pickup, planting native pollinators, and removing non-native invasive plants.

141. Are practices in place to ensure that collected material or pollutants removed in the course of maintenance are managed and disposed of in a manner such as to prevent such pollutants from entering the waters of the state in accordance with state and federal rules? *Schedule A.3.f.viii*

Yes ☒ No ☐

If necessary, provide an explanation:

Waste collected from the stormwater system is de-watered at the Streets department facility on a drying pad connected to the sanitary sewer. Once dry, the waste material is transported to the Deschutes County Landfill for final disposal.

142. Were all persons responsible for evaluating O&M practices, evaluating compliance with long-term O&M requirements or ensuring pollution prevention at facilities and during operations appropriately trained to conduct such activities? *Schedule A.3.f.ix*

Yes ☒ No ☐

If necessary, provide an explanation:

The Stormwater Compliance Technicians have received multiple stormwater specific trainings over the years, including Vegetated Water Quality Facilities (VWQF) Management and hold Certified Erosion and Sediment Control Lead (CESCL) licenses. Stormwater field operation staff maintain Oregon Wastewater Collections and PACP certifications. Responsible staff are routinely trained on pollution prevention for applicable municipal operations at recurring intervals through the City's online training platform, Target Solutions.

143. Were all new staff working to implement the pollution prevention and good housekeeping for municipal operations program appropriately trained within 30 days of their assignment to this program? *Schedule A.3.f.ix*

Yes ☒ No ☐

If necessary, provide an explanation:

New staff receive trainings assigned to them through the City's online training platform, Target Solutions.

Monitoring

If the requirement does not apply, mark "NA" and explain why it does not apply to you in the comments field.

144. Was municipal stormwater monitoring performed at outfall locations, in the receiving waterbody, or to demonstrate compliance with this permit? *Schedule B.3*

Yes ☐ No ☒

145. If "Yes" is the data included in the Annual Report?

Yes ☐ No ☐

If necessary, provide an explanation:
N/A

Wood Village Monitoring Requirements

146. Provide a summary of the following to evaluate the control strategies established for the Lower Columbia Slough Phosphate, Lead, and Bacteria TMDLs: *Schedule D.1.b*

Phosphate:

Lead: *N/A*

Bacteria: *N/A*

147. Indicate which of the following were completed:

☐ For phosphate, monitor influent and effluent dissolved orthophosphate concentrations and total phosphate concentrations at a representative site in Fairview Lake (Reach 4) and Fairview Creek (Reach 5)
☐ For lead, estimates of the effectiveness of controls to remove TSS
☐ For bacteria, measuring E. coli concentrations and its distribution over flows (for example, flow duration intervals) to demonstrate compliance with E. coli criteria

If necessary, provide an explanation: *N/A*

Water Quality Standards

148. During this monitoring year was it determined or reported that the MS4 discharge caused or contributed to an exceedance of an applicable water quality standard? *Schedule A.1.b*

Yes ☐ No ☒

If necessary, provide an explanation:

149. How and when did the exceedance of an applicable water quality standard occur? *Schedule A.1.b*

If necessary, provide an explanation: *N/A*

150. Was the exceedance self-reported or did DEQ send written notification? *Schedule A.1.b*

Self-reported: Yes ☐ No ☐

If necessary, provide an explanation: *N/A*

151. Within 48 hours was an investigation started into the cause of the water quality exceedance? *Schedule A.1.b.i*

Yes ☐ No ☐

If necessary, provide an explanation: *N/A*

152. Within 30 days of becoming aware of the exceedance, was DEQ notified in writing, if self-reporting? *Schedule A.1.b.ii*

Yes ☐ No ☐

If necessary, provide an explanation: *N/A*

153. Within 60 days of becoming aware of or being notified of the exceedance, was a report submitted to DEQ that documents the following: *Schedule A.1.b.iii*

☐ The results of the investigation, including the date the exceedance was discovered
☐ A brief description of the conditions that triggered the exceedance or the cause
☐ Corrective actions taken or planned, including the date corrective action was completed or is expected to be completed

If necessary, provide an explanation: *N/A*

154. Were the corrective actions implemented in accordance with the schedule approved by DEQ? *Schedule A.1.b*

Yes ☐ No ☐

If necessary, provide an explanation: *N/A*

155. Provide any additional comments or narrative description, if necessary:
N/A

Attachment 1

Illicit Discharge Standard Operating Procedure

CITY OF BEND
STANDARD OPERATING PROCEDURE

Standard Operation of: **BEND CODE TITLE 16.20: ILLICIT DISCHARGE COMPLIANCE—PREVENTION, IDENTIFICATION, NOTIFICATION AND RESPONSE**	**Creation Date:** 06/30/2009 (Illicit Discharge Response)
Author: Elisabeth O'Keefe	**Revision No or Date:** Rev. August, 2023

Subject: Protocol outlining the process for responding to illicit discharges within the City in compliance with Bend Code Title 16 and regulatory permits.

Scope and Location:

I. Location

a. All areas within City limits and areas covered under City Water Pollution Control Facility (WPCF) or National Pollutant Discharge Elimination System (NPDES) Permits.

II. Coverage (Bend City Code Title 16.20)

a. Anything not entirely composed of stormwater that enters storm drainage system that discharges to surface water or groundwater. (stormwater means water from precipitation that collects on or runs off surfaces…). Unless the discharge is exempt per City Code Section 16.20.030.

b. Undertake reasonable measures to reduce pollutants entering storm drain. No person shall throw, leave, etc. any refuse…debris, sediment, discarded object, articles, or accumulations on any street, alley, sidewalk, storm drain dry well or drill hole inlet, catch basin…or other drainage structures, parking area or upon any public or private plot of land so that the same might be a pollutant except where temporarily stored in properly contained waste receptacles or part of a well-defined compost system.

c. Discharges causing a violation of Bend's NPDES, TMDL, or WPCF-UIC permits separately or combined are prohibited. Liability is on the person(s) causing the discharge.

List of Tools/Equipment/Material:
Involved Equipment:
1. Phone/Camera
2. Computer with Code Enforcement Software (INFOR and City View) capabilities.
3. Laboratory/ Monitoring Supplies (Sludge Judge, Dipper Pole, Monitoring Devices, Sample Containers, Coolers).
4. Spill kits/supplies; pipe plugs
5. Manhole Puller

6. Traffic Cones
7. Personal Protection Equipment

Hazards Identification:

1. Standard office work (minor risk: carpal tunnel, eye strain, etc.)
2. Working in or adjacent to roadways.
3. Lifting manhole lids and grates inspecting stormwater systems.
4. Investigation of unknown chemical/material hazards.

Purpose: To protect stormwater facilities from illicit discharges and spills. Establishing processes so City crews can efficiently respond to illicit discharges events, contain spills and limit impacts on the stormwater system. Verifying proper cleanup and regulatory notifications are completed. This includes cross departmental assistance for emergency pumping of locations and providing traffic control re-routing when/where needed.

Steps:

1. **IDDE Complaint Intake Process**
   Illicit discharge reports are received by phone at the Utilities Department front desk or reported online through CityView by members of the public. Front desk staff are trained to log illicit discharge reports into the INFOR system.

   All illicit discharge reports are routed to Stormwater Staff for investigation. Outside of normal business hours, calls are transferred to an offsite third party call center that will forward emergency calls to an on-call staff member. Non-Emergency calls are logged into INFOR on the following business day. Stormwater staff transfer INFOR ID reports into City View for case tracking and enforcement.

2. **Response Time Requirements**

   Illicit discharges, including spills, that may endanger human health or the environment shall be reported immediately to 911 and then a supervisor. Emergency dispatchers will activate emergency response protocols.

   For all other illicit discharge reports stormwater staff will respond as soon as possible during working hours, but not to exceed two working days from the initial time of report. The initial site investigation will occur as soon as possible but not exceed five working days. When an illicit discharge originates outside of the City's jurisdictional authority, staff must notify the proper jurisdiction within one working day of becoming aware of the discharge.

   Ongoing illicit discharges that take more than 15 working days due to technical, logistical, or other reasonable issues, must develop an action plan to eliminate the illicit discharge. Ongoing illicit discharges with illicit connections to the MS4 system must be eliminated within 6 months. Ongoing Illicit discharges involving capital improvements that require repair or replacement of capital infrastructure must be eliminated within three years of the date of identification.

3. **Site Investigation**
   Stormwater staff will investigate illicit discharge complaints in an attempt to determine

what material was discharged, the responsible party, whether the discharge was intentional or accidental, and the approximate volume of material released. Stormwater staff will conduct a site investigation and then log the results and photos in the City View case file. During the site investigation, stormwater staff will be prepared if needed to clean up small spills in the Right of Way using dry cleanup methods and materials found in the vehicle spill kit.

4. Regulatory Notifications

Illicit discharges that endanger human health or the environment must be reported in accordance with all applicable federal and state laws, including notification to the Oregon Emergency Response System (800-452-0311). OERS shall be notified for:

- Any amount of oil to waters of the state;
- Oil spills on land in excess of 42 gallons;
- Hazardous materials that are equal to, or greater than, the quantity listed in the Code of Federal Regulations, 40 CFR Part 302 : https://www.ecfr.gov/current/title-40/chapter-I/subchapter-J/part-302

If any pollutant in MS4 discharge is determined to cause or contribute to an exceedance of an applicable water quality standard based on site-specific credible evidence, the following corrective action must be taken:

Within 48 hours of becoming aware or being notified of exceedance, begin to investigate the cause

Within 30 days of becoming aware, notify DEQ in writing of the exceedance

Within 60 days of becoming aware, submit a report to DEQ including:

(A) The results of the investigation, including the date the exceedance was discovered or the date the permittee was notified by DEQ;

(B) A description of the conditions that are known or suspected to have caused or contributed to the exceedance; and

(C) Corrective actions taken or planned, including the date corrective action was completed or is expected to be completed.

If discharges from one or more UICs endanger health or the environment the following action must be taken:

- Within 24 hours of becoming aware, verbally report any information to DEQ
- Within 5 days, submit a written report with a description, period of violation, estimated time the violation will continue, and steps taken or planned to reduce, eliminate, and prevent recurrence of the violation.
- Take corrective action to eliminate any endangerment of health or the environment as soon as practicable with DEQ approval of work scope and schedule. Submit at least annual updates in the annual report.

5. Sample Collection

If the site investigation indicates an ongoing illicit discharge into the MS4 or UIC system and the source cannot be identified, stormwater program staff will notify and coordinate with both the Field Sampling Team and Stormwater Program Manager to determine if sampling of the discharge is needed. All lab results shall be sent to the Stormwater Program Manager to determine if the discharge resulted in a permit exceedance.

6. Cleanup

During site investigation, Stormwater staff will be prepared to clean up small spills found in the Right of Way using dry cleanup methods and materials in the vehicle spill kit to protect nearby storm drain inlets. The responsible party or their contractor shall clean all impacted stormwater facilities. If a responsible party cannot be identified, the Stormwater Program Manager will coordinate cleanup of City-owned stormwater facilities or infrastructure. Property owners shall be responsible for clean up of privately owned facilities if a responsible party cannot be identified.

7. Enforcement

a) **Verbal Warning/Educational Materials**
For minor violations that do not impact stormwater facilities, stormwater staff will provide educational information to persons/businesses who unknowingly violate Bend City Code 16.20. Stormwater staff will document what information was provided and who it was provided to. This information shall be noted in the case history. Subsequent cases by the same party shall result in elevated enforcement types (b-e).

b) Written Warning
Depending on the severity of a violation, violation history of the responsible party, whether the discharge was intentional or accidental, and whether the discharge was preventable, stormwater staff may choose to provide a written warning instead of a Notice of Violation (NOV). A written warning should include the specific code section that was violated, photos of the incident and suggested Best Management Practices (BMPs) and timelines to mitigate or clean up the discharge and prevent future incidents. Written warnings are emailed or mailed as a letter depending on the information available.

c) Notice of Violation (NOV)
A NOV shall be issued for repeat/ongoing violators that fail to comply with Bend Code Title 16.20. As part of the NOV process, a violator may choose to enter into a Voluntary Compliance Agreement (VCA) with specific terms and timelines. If a VCA is not reached, Stormwater staff will forward the case to the Code Enforcement Department for legal review and enforcement.

d) Voluntary Compliance Agreement (VCA)
Stormwater Staff will monitor the terms and conditions of the VCA. If the violator fails to comply with the VCA, the case is transferred to the Code Enforcement Department for legal review and enforcement.

e) Issuance Fines and Fees
The City's Code Enforcement Manager will process and facilitate issuance of civil penalties for the responsible party. Stormwater program staff may be involved in municipal proceedings for the case.

8. **Case Closeout**
Stormwater program staff will review and close out the case in City View. Notifying the person who made the initial report, providing a general overview on the case findings, and enforcement actions taken by City.

See attached ID Response Flow Chart.

Attachment 2

Dry Weather Screening and Outfall Reconnaissance Inventory Plan

City of Bend

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Introduction

This plan works to meet the requirements identified in Schedule A.3.c.v (Page 14) of the of City of Bend's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II permit. Included below are procedures for conducting investigations, field screening, source tracing, prioritization, and characterization of illicit discharges associated with dry weather screening of targeted outfalls to the Deschutes River. Per Bend Code Title 16.20, an illicit discharge is anything not entirely composed of stormwater that is allowed to enter a storm drainage system that discharges to surface water or groundwater. Dumping materials into or that may reach a storm drain facility, including but not limited to a storm drain inlet, a dry well or drill hole, or connecting a wastewater pipe into the storm drainage system, is prohibited under various State and local laws and results in illicit discharge (see City of Bend Illicit Discharge Minimization Best Management Practices Manual (Illicit Discharge Manual)). Any illicit discharge to any storm drain, dry well or drill hole, including the municipal separate storm sewer system (MS4), underground injection controls and private storm drainage systems, is a violation of this title unless exempted by BC 16.20.030.

Outfall Inventory

Currently the City's GIS data is structured such that any pipe that daylights with an open end is designated as an "Outfall" type structure. The focus of this program is to inventory and screen outfalls associated with the City's MS4 system that discharges to the Deschutes River. To address that focus, a desktop analysis was performed to identify and prioritize all outfalls that are part of the City's MS4 system that have the potential to discharge to the Deschutes River or any other drainage connected to a surface water body. Any structure designated as an outfall that serves as a culvert or discharges to a surface infiltration-only facility was removed from the list. After one complete round of inspections the city may amend the priority list based on results. Table 1 includes 36 outfalls identified in the City's GIS database that will be inspected as part of the dry weather screening program:

Table 1: MS4 Outfalls – Priority Locations

#	FacilityID	Lifecycle Status	Location Description	Facility Type	Drains To
1	DOF000070	Active	ARCHIE BRIGGS RD	Outfall	River
2	DOF000075	Active	SW COLORADO AVE	Outfall	River
3	DOF000076	Active	SW COLORADO AVE	Outfall	River
4	DOF000077	Active	SW COLORADO AVE	Outfall	River
5	DOF000013	Active	NW STEIDL RD	Outfall	River
6	DOF000012	Active	NW SAGINAW AVE	Outfall	River
7	DOF000065	Active	NW NEWPORT AVE	Outfall	River
8	DOF000110	Active	NW PORTLAND AVE	Outfall	River

9	DOF000017	Active	NW HARMON BLVD	Outfall	River
10	DOF000020	Active	NW GALVESTON AVE	Outfall	River
11	DOF000024	Active	NW ALLEN RD	Outfall	River
12	DOF000016	Active	NW HARMON BLVD	Outfall	River
13	DOF000014	Active	NW DRAKE RD	Outfall	River
14	DOF000015	Active	NW DRAKE RD	Outfall	River
15	DOF000108	Active	NW PORTLAND AVE	Outfall	River
16	DOF000109	Active	NW PORTLAND AVE	Outfall	River
17	DOF000022	Active	NW GALVESTON AVE	Outfall	River
18	DOF000019	Active	NW RIVERSIDE BLVD	Outfall	River
19	DOF000018	Active	NW RIVERSIDE BLVD	Outfall	River
20	DOF000066	Active	NW NEWPORT AVE	Outfall	River
21	DOF000039	Active	SW REED MARKET RD	Outfall	River
22	DOF000040	Active	SW REED MARKET RD	Outfall	River
23	DOF000034	Active	REED MARKET RD	Outfall	River
24	DOF000127	Active	DOF000127	Outfall	River
25	DOF000131	Active	NW HARMON BLVD	Outfall	River
26	DOF000128	Active	DOF000128	Outfall	River
27	DOF000130	Active	DOF000130	Outfall	River
28	DOF000125	Active	SW REED MARKET RD	Outfall	River
29	DOF000193	Active	NW MCKAY AVE	Outfall	River
30	DOF000192	Active	Riverfront St	Outfall	River
31	DOF000200	Active	South Side Colorado Bridge	Outfall	River
32	DOF000207	Active	Colorado Lift Station Vol VI-A	Outfall	River
33	DOF000220	Active	NW Wilmington Ave	Outfall	River
34	DOF000221	Active	Below Colorado Ave. Bridge	Outfall	River
35	DOF000222	Active	Colorado Ave. Bridge	Outfall	River
36	DOF000223	Active	Colorado Ave. Bridge	Outfall	River

Annual Field Screening

At least 50% of MS4 Outfalls – Priority Locations will be screened by September 30, 2023. In subsequent years a minimum of 25% will be screened annually. All screening activity will take place during the dry season from May-September and after an antecedent dry period of at least 72 hours.

During the initial effort, all known MS4 outfalls will be screened. For subsequent annual screening consideration may be given to outfalls based on their proximity to illicit discharge hot spot areas throughout the City to determine prioritization. Hotspot areas will be mapped and identified using historical illicit discharge case information. Priority outfall screening locations may be adjusted over time to reflect new information and include additional screening parameters such as:

- percent impervious surface area

- total drainage area
- population density
- traffic density
- land use type
- field safety and accessibility

Visual Analysis

During field screening, specific observations will occur at each of the priority outfalls. These observations will include verification of physical characteristics as well as dry weather discharge status via flow or representative conditions. These observations will be documented electronically with the use of a GIS field application. Photo documentation will also be captured at each outfall. See Attachment 1.

Field Analysis

If dry weather flow or representative conditions are observed the source of the discharge should be identified and eliminated.

In some cases, a dry weather discharge may have an obvious source. In this instance the discharge and responsible party will be routed into the City's IDDE compliance program working within the existing compliance and enforcement framework to eliminate the discharge.

When there is flow observed and the source is unknown, a field investigation must be conducted to determine the cause of the dry-weather flow.

Field Investigation – Source Tracking:

When flow is present, a sample will be collected and screened for the pollutant parameter action levels. If visual Analysis or Field Sampling indicate an illicit discharge may be present, the source is investigated within the drainage system, utilizing upstream reconnaissance to work to identify the source. GIS applications are also used to navigate the existing storm drainage system and associated landuse and taxlots. Upstream points such as manholes and catch basins will be observed visually for connections to the system. The system is investigated upstream until flow is no longer observed and/or no probable source can be identified for further investigation. If the source cannot be identified or the Pollutant Parameter Action Level indicates there is a need for additional information, a sample may be collected and sent to a laboratory for further Laboratory Analysis.

If visual observations, field investigation, pollutant parameter action levels, or source tracing indicate that the flow present is a non-stormwater discharge, per MS4 permit, an illicit discharge investigation will be conducted. Some of the most common non-stormwater discharges include: landscape irrigation, discharges from potable sources, residential and charity car washing, infiltration or pumping of groundwater, foundation and footing drains. Certain non-stormwater discharges are allowable as defined in Schedule A.1.d. of the MS4 permit if they are not and do not become a significant source of pollutants. Allowable non-stormwater discharges encountered during investigations will be evaluated and may require enforcement and implementation of appropriate BMPS prior to discharge to the MS4.

Field Sampling and Pollutant Parameter Action Levels:

Field sampling and the pollutant parameter action levels below were established based on the characterization of drainage catchment associated with the priority locations, and common sources of dry weather flows that can be implemented with tools in the field. The following table includes the pollutant parameter action levels and associated rationales:

Table 2:

Parameter	Action Level	Suspected Source and Action
Ammonia nitrogen	>0.5 mg/L	Presence of ammonia >0.5 mg/L likely indicates sewage, industrial waste or pets/wildlife. Action: Conduct source identification investigation looking for upstream bacteria or waste source.
Total Chlorine	>0.5 mg/L	Presence of chlorine, absent other parameters that exceed action levels, likely indicates municipal treated water, a discharge of municipal water, residential car washing, or pool/hot tub water. If greater than action level, conduct source identification investigation looking for pool or nearby irrigation discharge to system.
Turbidity	>15 NTU	Turbidity is a supplemental measurement that is not conclusive by itself, but may help identify problem outfalls that merit follow-up. Turbidity above the action level may indicate weather discharge consists of something other than tap water or groundwater. Action: conduct source identification investigation looking for upstream sediment source.
Conductivity	>300 uS/cm	Conductivity is a supplemental measurement that is not conclusive by itself, but may help identify problem outfalls that merit follow-up. If turbidity is high, conductivity may indicate whether the turbidity is due to dissolved substances rather than fine particulates. Groundwater typically has higher conductivity than clean stormwater, so conductivity will rarely be indicative of pollution on its own. Action: conduct source identification investigation and, if needed, collect lab sample for appropriate pollutants based on suspected pollutants.
pH	Outside 6.5-8.5	pH is a supplemental measurement that is not conclusive by itself, but may help identify problem outfalls that merit follow-up. In combination with other screening levels, actions may include source tracing and, if source not found, collection of a lab sample for pollutants suspected to cause or be associated with pH levels. Discharge sources that may cause high or low pH can include: natural sources (bacteria, algae) and certain industrial discharges.
Temperature	>Ambient air temperature	Water warmer than ambient air temperature may indicate a human-caused heat source.
Flow	Water level above base flow level indicated by pipe staining.	Conduct source identification investigation within upstream pipeshed, by lifting manhole lids and checking flow volume against pipe staining level.

Laboratory Analysis:

Samples will be collected for additional analysis when visual observations and field investigation indicate a potential pollutant for which the source cannot be identified through source tracking investigation. Typically this will be determined after a field investigation has occurred, and no discharge source has been identified. However, there can be cases in which none of the field measurements exceed action levels, but sensory observation indicates the presence of pollutants. Additional analyses may consist of bacteria, metals, nutrients, phenols, hydrocarbons or other analyses deemed appropriate based on observation and field investigation. Analyses are deemed appropriate if the pollutant relates to a suspected type of source or discharge; or known land uses or activities in the drainage area. Once water quality results are received from the lab, which is typically several days to weeks, additional source identification investigation may occur.

Illicit Discharge Investigation:

When field screening indicates there may be an illicit discharge to the MS4, the upstream area will be inspected in an attempt to identify the pollutant(s) source. The level of effort staff spend investigating potential illicit discharges will be evaluated on a case by case basis and will consider the following factors:

- Volume and extent of discharge.
- Frequency and duration of discharge (isolated, intermittent or ongoing)
- Suspected type of discharge (as determined by observations and sampling)
- Risk and potential impact to surface water quality or human/aquatic health.

Some discharges detected during dry weather screening may be deemed to be low risk based on the criteria above. If a source cannot be identified with a reasonable amount of effort, it may be determined that the risk from the discharge is low enough that the effort needed to id the source is not cost effective and other measures (general inspection or outreach) are a better expenditure of program resources. Small or episodic contributions to the MS4 can be deemed de minimis after city staff have expended a reasonable amount of effort with no positive result.

Sources that are deemed to pose a moderate or high level of risk to the MS4 or waters of the state due to either the quantity or type of pollutants will be investigated immediately and will receive a high level of effort. In addition to the visual investigation of the upstream system, water flushing, dye testing, cctv or other such methods may be used to aid in source identification. Additionally, if any factors identified above indicate a need for additional investigation, a grab sample may be collected and sent to a laboratory for analysis.

If the suspected illicit discharge is deemed to be a threat to water quality and originates from a private property, permission for inspection may be required from the property owner or tenant.

Once a source has been identified the discharge and responsible party will be routed into the City's IDDE compliance program working within the existing enforcement framework to eliminate the discharge.

Data Management

All dry weather screening and outfall reconnaissance data will be managed electronically through the use of field maps, capturing the data provided in attachment 1. Photo documentation will also be attached to the report. Associated location data will be managed in the city's GIS database while inspection report data will be managed on the Utility Department's Sharepoint site. Any identified illicit discharge that is routed into the City's IDDE compliance program will be tracked through that program and associated database located on the Utility Department's Sharepont site. Any outside laboratory work will be uploaded and attached to associated inspection results. All findings will be summarized annually and provided to Oregon DEQ as part of the MS4 reporting requirements.

Adaptive Management

The City of Bend utilizes adaptive management to ensure all Best Management Practices have the ability to be modified to improve the effectiveness of program implementation. Specifically, data collected as a result of this plan will be utilized to evaluate and adjust future efforts to meet permit requirements. Any significant changes to the program or associated BMPs will be submitted to Oregon DEQ during the annual reporting period.

Attachment 1

Outfall Inspection and Field Screening Data Collection

Inspector Name: Text

Date: Auto

Date of Previous Precipitation: Date Selection

Amount (in): Text

Outfall ID: Auto

Latitude: Auto

Longitude: Auto

Landuse: Check Boxes

- Industrial
- Residential
- Commercial
- Park/Open Space
- Other

Outfall Type Closed or Open (Different paths for each option below)

- Closed Pipe
  - Material Menu
    - RCP
    - PVC
    - Steel
    - CMP
    - HDPE
    - Other
  - Shape Menu
    - Circular
    - Elliptical
    - Box
    - Other
  - Diameter (in) Text
  - Submerged Menu
    - In Water
    - With Sediment
- Open Channel
  - Material Menu
    - Concrete

        - Earthen
        - Rip-Rap
        - Other
    - Shape Menu
        - Trapezoid
        - Parabolic
        - Other
    - Dimensions Text
        - Depth (in)
        - Width (in)

Outfall Access: Check Boxes

- Public Area/Park
- Easement
- Private Property (With Verbal Permission)
- River Access Only
- Natural Drainage Way
- Other

Dry Weather Flow Present at Outfall During Inspection: Menu

- Yes
- No

Description of Flow Rate: Menu

- Trickle
- Moderate
- Significant
- N/A

<u>If Dry Weather Flow</u>

Does the flow contain color: Menu and text

- Yes
- No
- Description

Does the flow contain an odor: Menu and text

- Yes
- No
- Description

Is there an observed change in the receiving water as a result of the discharge: Menu and text

- Yes

- **No**
- **Description**

Does the flow contain floating solids, scum, sheen or substances that results in deposits? Menu and text

- **Yes**
- **No**
- **Description**

<u>If Sampling Used to ID flow:</u>

Sample Results: Text

- **Ammonia nitrogen (mg/L)**
- **Total Chlorine (mg/L)**
- **Turbidity (NTU)**
- **Conductivity uS/cm**
- **pH**
- **Temperature (*F)**

Is the dry weather flow an illicit discharge: Menu and text

- **Yes**
- **No**
- **Describe efforts to determine source of illicit discharge.**

Maintenance Needed: Check Boxes

- **Obstruction removal or cleaning**
- **Erosion Stabilization**
- **Headwall/trash rack**
- **Joint separation**
- **Pitting/rusting/holes**
- **Concrete spalling/cracking**
- **Surface settling above pipe**
- **Other**

Surrounding Area: Check Boxes

- **Scouring**
- **Sediment build-up**
- **Garbage build-up**
- **Overgrown vegetation**
- **Evidence of past illicit discharges**
- **Other**

Rip-Rap or Dissipation Present: Menu and text

- **Yes**
- **No**
- **Description**

Notes: Text

Photos: Attachments

Attachment 3

Erosion and Sediment Control Escalating Enforcement Procedure

CITY OF BEND
STORMWATER

Erosion and Sediment Control Inspection Guidance

General Requirements:

- *Existing or potential pollutant discharges are not allowed to leave the project site and deposit in adjacent streets, properties, stormwater systems, water bodies, sensitive areas, or their buffers.
- *Illicit connections and non-stormwater pollutant discharges are not allowed.
- BMPs are installed, implemented, and maintained per the approved ESCP.
- Temporary BMPs are removed once disturbed areas have been permanently stabilized.
- The approved Erosion and Sediment Control Plan (ESCP) is available onsite and updated as needed.
- Project site is compliant with City of Bend Code Title 16: Grading, Excavation, & Stormwater Management

General Housekeeping Requirements:

- Loose material is swept from paved surfaces as needed, daily at a minimum.
- Intentionally washing track-out into stormwater inlets is not allowed.
- Sediment ramps are not allowed.
- Concrete waste is contained for proper disposal.
- Stormwater infiltration areas are being protected.
- Material storage/lay down areas are out of the right of way and protected.
- Hazardous chemicals/materials are stored properly.
- Stockpiles are located within perimeter control for the project.
- Sensitive lands or areas of special interest (ASI) are protected from vehicles/equipment.

Erosion and Sediment Control Requirements:

- Areas downslope are protected by perimeter control.
- Stormwater inlets are protected by inlet protection.
- Adjacent paved surfaces are protected by rocked construction entrance(s).
- Dust is mitigated to the extent possible.
- Areas with bare soil not actively being worked are temporarily stabilized.

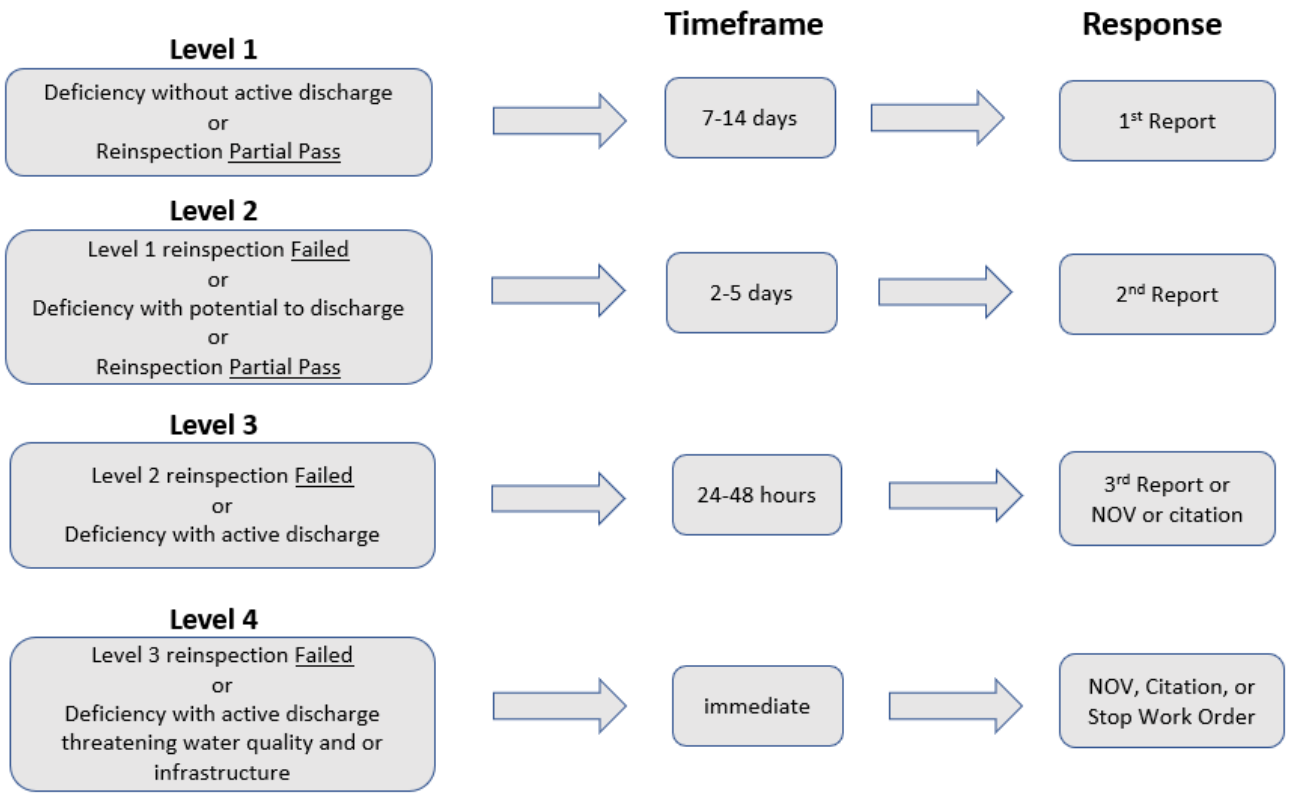
**Observations are documented with corrective actions necessary for follow up with the site operator.*

Inspection Type
Initial Inspection (10 Erosion Control) – An initial inspection occurs when BMPs are first installed on site, prior to other ground disturbing activity. An initial inspection should be requested by the owner, applicant, or contractor, but may be initiated by staff if there is reason to believe work has begun.
Routine Inspection (10 Erosion Control) – A routine inspection occurs when staff initiates an unsolicited inspection of a project. It could also be requested by the owner, applicant, or contractor for a check-in or to provide input for phasing. A routine inspection may also be triggered if a project receives a complaint, or there is visible discharge from the project site.
Final Inspection (60 Erosion Control Final) – A final inspection occurs when a site is fully stabilized, all temporary BMPs have been removed and construction is complete. A final inspection should be requested by the owner, applicant, or contractor. A final inspection may be initiated by staff if there is a reason to believe work has ended, or the project is going into an inactive phase for an extended period.

Reinspection (Assign label based on inspection type trigger) – A reinspection occurs when staff have resulted an inspection above with an outcome other than "passed". See ***Inspection Results*** below. A reinspection should be requested by the owner, applicant or contractor within the timeline provided by staff per the ***escalating enforcement response***, designation below. Reinspections are focused on the prior issue as opposed to new issues that arise.

Inspection Results
Passed – An initial, routine, or final inspection yields no corrective actions and is in compliance with the approved ESCP and all related codes/specifications. A reinspection finds that all previously identified deficiencies have been addressed and resolved.
Partial Pass – An initial, routine, or final inspection where staff identifies a deficiency deemed to be low risk or where a deficiency is being addressed or in progress at the time of inspection. A reinspection where not all deficiencies have been resolved but progress justifies keeping the project at the existing enforcement level or down grading based on the type of violation and status of discharge. A partial pass cannot be assigned for any project that currently has an active discharge.
Failed – An initial, routine, or final inspection where a deficiency is identified, triggering escalating enforcement. A reinspection where previously identified deficiencies have not been addressed adequately, leading to an escalation in the enforcement Level.
Not Ready – An initial or final inspection where the owner, applicant, or contractor has requested an inspection, but staff identifies the necessary work hasn't occurred. Staff initiated initial inspection where project hasn't progressed, staff uses report to educated applicant, owner, or contractor.
Canceled – A level 1 or 2 inspection that resulted in a deficiency where the contractor provided photo documentation that the issue has been adequately resolved.
Voided – An initial, routine, or final inspection issued on a permit for which another permit is actively being inspected for erosion control. This result is utilized to remove duplicative efforts with the inspection process for a single project. The technician will make note of duplicative inspection in the permit comment box when voiding, and reference the initial erosion permit ID# in Cityview.

Escalating Enforcement Response



Pollutant type, amount, and nature of discharge (i.e. intentional vs. accidental) shall be considered when assigning an enforcement level and associated timeframe. If any timeframe is not met during a reinspection, or repeat violations are noted for the project then enforcement automatically moves to the next level. It is at the discretion of the inspector to adjust the enforcement level if a contractor operates in good faith, shows improvement, and there are no major violations or threats to water quality.